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RESPONSE UNDER RULE 116  
EXPEDITED PROCEDURE  
ART UNIT 2634

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**William McFarland et al.**

Serial No.: 09/833,749

Confirmation No. 2909

Examiner: Wang, Ted M.  
Art Unit: 2634

Filed: April 11, 2001

Atty. Docket No. 073169-0269527  
ATH-035

For: METHOD AND APPARATUS FOR MAXIMIZING RECEIVER PERFORMANCE  
UTILIZING MID-PACKET GAIN CHANGES

### CERTIFICATE OF MAILING

I hereby certify that this paper (along with all papers referred to as being attached or enclosed) is being deposited with the U.S. Postal Service, postage prepaid, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.

Date: June 3, 2005 By: Bobbie Jutras  
Bobbie Jutras

### AMENDMENT AND RESPONSE UNDER RULE 116

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the final office action mailed April 4, 2005 for which a three-month shortened statutory response is due July 4, 2005. The Commissioner is authorized to charge any required fee(s) to our deposit account no. 50-2213 (order no. 073169-0269527).

In response to the office action, please enter the following:

**Amendments to the claims** are reflected in the listing of claims beginning at page 2.

**Remarks** begin at page 17.